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N.J. BOARD OF DENTISTRY
ON 3-18-15 DA

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

IN THE MATTER OF THE SUSPENSION OR:	ADMINISTRATIVE ACTION
REVOCATION OF THE LICENSE OF :	:
:	:
STACEY CARROLL, RDH	: FINAL ORDER OF DISCIPLINE
License No. 22HI00904600	: DISCIPLINE
:	:
LICENSED TO PRACTICE DENTISTRY :	:
IN THE STATE OF NEW JERSEY :	:

This matter was opened to the New Jersey State Board of Dentistry (hereinafter "the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Stacey Carroll ("Respondent") is a registered dental hygienist in the State of New Jersey and has been registered at all times relevant hereto.

2. Respondent was arrested on October 1, 2013 by the Vineland Police Department for Attempt To Obtain Prescription Legend Drug By Forgery/Deception] in violation of violating N.J.S.A. 2C:35-10.5(D), Forged Writing in violation of N.J.S.A. 2C:21-1A(3), and Possession Of Controlled Dangerous Substance or Analog in violation of N.J.S.A. 2C:35-10(A)(1). Respondent was charged on Indictment (Cumberland County) with Obtaining CDS by

Fraud, Possession of CDS, Obtain or Attempt to Obtain Prescription Drugs by Forgery, Forgery-False Issue and Forgery-Utter. On June 25, 2014, Respondent was accepted into Pre-Trial Intervention and Diversion Program for a term of twelve (12) months.

3. On or about October 29, 2013, the Board sent a letter to Respondent's address of record at the time at 4619 Post Road, Vineland, New Jersey via regular mail. The regular mailing was not returned as undeliverable to the Board. The letter requested certain information and the submission of documents regarding her arrest on October 1, 2013 by the Vineland Police Department. To date Respondent has failed to provide a response.

4. On or about January 15, 2014, the Board sent a second letter to Respondent's then address of record in Vineland, New Jersey and enclosed a copy of the October 29, 2013 letter. The second letter required Respondent to provide the information contained in the October 29, 2013 letter. The second letter advised Respondent that she has a duty to cooperate with the Board's investigation, as well as the penalties and sanctions which could result from her failure to cooperate. The letter was sent via regular mail and certified mail. The regular mailing was not returned as undeliverable. The return receipt indicates that the certified mail was received and signed for.

5. The results of a second flagging notice revealed that Respondent was arrested on May 19, 2014 by the Waterford Township Police Department for Possession of Controlled Dangerous Substance Or Analog in violation of N.J.S.A. 2C:35-10A(1) and Possession Of Drug Paraphernalia in violation of N.J.S.A. 2C:36-2. Respondent was charged with a Disorderly Person charge (Use Paraphernalia) and Possession of CDS which was downgraded to Failure to Make Proper Disposal of CDS. On May 22, 2014, this matter was remanded to Municipal Court and is pending.

6. On or about May 19, 2014, the Board sent a third letter to Respondent to her current address of record at 201 Woodland Avenue, Williamstown, New Jersey. Enclosed was a copy of the October 29, 2013 letter. The third letter required Respondent to provide the information contained in the October 29, 2013 letter. The third letter also advised Respondent that she has a duty to cooperate with the Board's investigation, as well as the penalties and sanction which could result from her failure to cooperate. The letter requested certain information and the submission of documents regarding her arrest on October 1, 2013 by the Vineland Police Department and the arrest on May 19, 2014 by the Waterford Township Police Department. The letter was sent via regular mail and certified mail. The regular mailing was not

returned as undeliverable. The return receipt indicates that the certified mail was received and signed for.

7. To date, Respondent has failed to respond to the Board's request.

CONCLUSIONS OF LAW

The above findings of fact provide grounds for disciplinary action against Respondent's license based on her failure to cooperate with the Board's investigation in contravention of N.J.A.C. 13:45C-1.3.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline (POD) was entered on December 30, 2014 and a copy served on respondent to Respondent's address of record with the Board by regular and certified mail. Pursuant to the POD upon finalization, Respondent's license would be suspended until such time as Respondent cooperates with the Board's investigation.

The suspension of licensure was based on respondent's failure to cooperate with the Board's investigation in contravention of N.J.A.C. 13:45C-1.3. Specifically, Respondent did not respond to three (3) letters from the Board requesting certain information and the submission of documents regarding her arrest on October 1, 2013 by the Vineland Police Department

and the arrest on May 19, 2014 by the Waterford Township Police Department.

The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

According to the United States Postal Service website tracking for certified mail with return receipt #7008 1830 0001 1405 0367, the mail was delivered and signed for on February 27, 2015. The regular mail was not returned as undeliverable. Therefore, the Board deems service to have been effected. To date, the Respondent has not submitted a response to the Provisional Order. Respondent cannot evade process by failing to respond. Accordingly, the Board considered the matter, determined that further proceedings were not necessary and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 18th day of March, 2015,

ORDERED that:

1. Respondent's license to practice as a registered dental hygienist be and hereby is suspended until such time as Respondent cooperates with the Board's investigation by providing answers to the Board's request for information to the Board's satisfaction.

2. Respondent shall refrain from practicing as a dental hygienist and shall not represent herself as a licensed dental hygienist until such time as her license is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

3. The Board reserves the right to take further disciplinary action based upon any information received in the future regarding the underlying conduct which lead to Respondent's October 1, 2013 arrest by the Vineland Police Department and May 19, 2014 arrest by the Waterford Township Police Department.

NEW JERSEY STATE BOARD OF DENTISTRY

By: 

Emil G. Cappetta, D.D.S.
Acting Board President